

14.02.2025

Serial no. 71

[Dd]

(Bail **allowed**)

CRM (DB) 3884 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Rajapur** Police Station Case No. **29** of **2024** dated **29.01.2024** under Sections **302/201** of the Indian Penal Code, 1860 charge sheet submitted under Sections 302/201/120B of IPC. (GR case no. 218/2024)

-And-

In the matter of : Sahajahan Gayen alias Sahajahan Saikh

... .. Petitioner

*Mr. Pronojit Roy,
Mr. Ashutosh Mondal, Advocates
... .. For the Petitioner*

*Mr. Subhomay Bhattaacharya,
Mr. Shashanka Sekhar Saha, Advocates
... .. For the State*

1. Petitioner is in custody in excess of 11 months.
2. Police filed charge sheet.
3. Materials in the case diary do not suggest that there are any eye-witness who implicates the petitioner in the murder.
4. Apparently, police are proceeding on the basis of statements of co-accuseds made while in custody.
5. Considering the fact that police filed charge sheet and considering the period of detention and the materials in the case diary as against the petitioner, we grant bail to the petitioner.
6. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned

Additional Chief Judicial Magistrate, Uluberia, Howrah
subject to condition that the petitioner shall appear before
the learned trial court on every date of hearing until further
orders and shall not intimidate witnesses and/or tamper
with evidence in any manner whatsoever.

7. In the event, the petitioner fails to comply with the
conditions as enshrined hereinbefore, it is open to the trial
court to cancel the bail without further reference to this
Court.
8. The prayer for bail of the petitioner is **allowed**.
9. **CRM (DB) 3884 of 2024 is disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)